



## Juvenile Sentencing Advocacy Program

Juveniles transferred into the adult criminal justice system in Miami-Dade County, Florida, were being processed just like adults, with little, if any, attention being paid to assessing the underlying needs and strengths of the youth and the potential for rehabilitation. These juveniles were (and continue to be) transferred without the benefit of a judicial hearing. That means that there has been no judgment by a neutral judicial officer that there are services in the adult system for them, or that they are inappropriate for services in a juvenile court. The result has been that over 97% of the transferred youths are not sentenced to appropriate juvenile intervention and treatment programs designed to prevent future criminality.

Although Florida law allows felony court judges to consider juvenile sanctions in lieu of adult punishment for transferred juveniles, only 20 out of nearly 1200 transferred youth were sentenced to juvenile sanctions in 1998. While the Public Defender's Office recognized that adult sanctions may be appropriate for some youths, the decision-making process was ineffective because salvageable young people were not receiving minimally adequate attention at the sentencing phase.

In response, the Public Defender's Office established the Juvenile Sentencing Advocacy Program (JSAP). The Public Defender's Office worked with experts to develop a comprehensive strengths-based assessment, improve advocacy for juveniles charged as adults, and increase client access to effective programs.

This project was designed in furtherance of the Public Defender Office's Anti-Violence Initiative (AVI). The AVI consists primarily of numerous collaborations between the public defender's office and governmental and community organizations, service providers, and religious and academic institutions. The AVI is directed toward effecting meaningful, lasting change in clients' lives, consistent with the defense function. This approach represents a broad and novel perspective regarding defender client representation: helping clients lead productive, law-abiding lives in order to reduce the number of victims and prevent crime. Serving the best interests of indigent clients not only safeguards constitutional rights, but promotes public safety. The AVI is designed to improve public strategies, as well as individual case outcomes, through research-based prevention and treatment methods.

The JSAP was designed and implemented to help affected juveniles and their families as early as possible; raise and improve the level of sentencing advocacy by defense attorneys; challenge the outlook and attitudes of courts and prosecutors; provide research about effective programs; and, serve as a national model for the effective representation of juveniles in adult court.

When the initial federal funding ran out, the Public Defender continued the program because it was very effective. A disposition specialists and three attorneys in our juvenile division handle cases of juveniles targeted by the State for prosecutorial transfer to adult court. In addition, two disposition specialists and an attorney work on the project in adult court.

As a result of the pilot project, the Public Defender's Office:

- Developed a comprehensive client-specific assessment format that includes the adolescent's developmental information.
- Intervenes early in prosecutorial transfer cases.
- Developed and provided specialized interdisciplinary training to attorneys, social workers, judges, prosecutors, and other criminal justice and public health professionals who interact with youth.
- Enhanced defense counsel's ability to assess and address the actual needs of the youth while meeting the concerns of the court and prosecution.
- Enhanced the quality of legal representation of transferred juveniles.
- Increased client access to effective programs.

Expanded linkages to community resources in an attempt to improve long-term results for clients, their families and the community.

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